

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

-against-

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

-against-

JAMES GREIFF,

Defendant.

Adv. Pro. No. 10-04357 (SMB)

DISCOVERY ORDER

Defendant James Greiff (“Greiff”) having sought a protective order by letter dated December 15, 2016, and the Trustee having responded by letter dated December 22, 2016, and the Discovery Arbitrator having held a telephone conference with counsel on January 19, 2017, it is hereby **ORDERED** that:

1. The Trustee may take the deposition of Greiff unless Greiff stipulates as follows:

In connection with any motion practice, trial or appeal, Greiff:

- (a) will not challenge the accuracy or completeness of the deposit and withdrawal-related information set forth in columns 1 through 5 of Exhibit B to the Trustee's complaint;
- (b) concedes that the funds reflected in Column 5 of Exhibit B were withdrawn from his BLMIS account and received by him; and
- (c) shall withdraw any affirmative defenses that are inconsistent with the foregoing stipulation.

2. If Greiff is deposed:

- (a) the deposition shall be limited to four hours of questioning unless I otherwise direct;
- (b) absent an agreement to the contrary, the deposition will be taken in the vicinity of Greiff's residence;
- (c) the Trustee shall furnish Greiff's counsel with pre-marked copies of any exhibits that the Trustee intends to show Greiff at least three days before the deposition; and
- (d) Greiff's counsel will be permitted to participate via audio or video link should she choose to do so.

3. By 5 p.m. on January 23, 2017, Greiff's counsel shall notify the Trustee whether Greiff is willing to enter into the foregoing stipulation. If the stipulation is unacceptable, Greiff's counsel shall suggest dates for Greiff to be deposed.

SO ORDERED.

Dated: New York, New York
January 19, 2017

/s/
FRANK MAAS
Discovery Arbitrator

Copies to Counsel via ECF